

Message Text

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ACTION COME-00

INFO OCT-01 EUR-12 ISO-00 EB-07 AGR-10 CEA-01 CIAE-00

DODE-00 FRB-01 H-02 INR-07 INT-05 L-03 LAB-04 NSAE-00

NSC-05 PA-02 AID-05 CIEP-02 SS-15 STR-04 TAR-01

TRSE-00 USIA-15 PRS-01 SP-02 FEAE-00 OMB-01 IO-10

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P 191610Z DEC 75

FM AMEMBASSY BERN

TO SECSTATE WASHDC PRIORITY 1873

UNCLAS BERN 5265

EO 11652: N/A

TAGS: ETRD SZ

SUBJ: MULTILATERAL TRADE NEGOTIATIONS - MARK OF ORIGIN REQUIREMENTS

REF: STATE 294789

1. ACTION REQUESTED: SEE PARA 7.
 2. REFTEL RECEIVED GARBLED; CORRECTED VERSION RECEIVED DEC 17.
 3. PRELIMINARY CHECK INDICATES REQUIREMENTS ON FOOD ITEMS STILL AS DESCRIBED IN REFTEL. CONFIRMATION AND/OR CHANGES WILL BE CABLED AFTER MORE COMPREHENSIVE DISCUSSION WITH SWISS AUTHORITIES SCHEDULED FOR DEC 22.
 4. COPIES OF REGULATIONS APPLICABLE TO FOOD ITEMS IN FRENCH (ORDONNANCE SUR LES DENREES ALIMENTAIRES) AND GERMAN (LEBENSMITTELVERORDNUNG) SENT TODAY INTERNATIONAL AIRMAIL TO MISS KLINGAMAN, EUR/CE. IMPOSSIBLE TRANSLATE LOCALLY, IN TIME AVAILABLE.
 5. REQUIREMENTS APPLICABLE TO WATCHES AND WATCH CASES
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(PARA 3, REFTEL) ARE NOT AS STATED PARA 3 REFTEL, BUT

AS FOLLOWS: ALL PRECIOUS METALS AND ITEMS MADE OF PRECIOUS METALS, OF FOREIGN FOR DOMESTIC ORIGIN, MUST BE HALLMARKED WITH SPECIAL MARK REGISTERED WITH SWISS AGENCY FOR THE CONTROL OF PRECIOUS METALS (EDELMETALLKONTROLLE). PACKAGES CONTAINING WATCHES MUST BEAR NAME OF MANUFACTURER OR HIS TRADEMARK (IF IT IS REGISTERED IN SWITZERLAND).

6. MODIFICATION OF MARK OF ORIGIN REQUIREMENTS DOES NOT YET EXIST IN SWITZERLAND. CUSTOMS AUTHORITIES ARE NOT EMPOWERED TO CONTROL ENTRY OF PRODUCTS IMPROPERLY MARKED, EXCEPT FOR PRECIOUS METALS. BASICALLY, THREE DECREES OR ORDINANCES CONTAIN MARK OF ORIGIN REQUIREMENTS (A) LEBENSMITTELVERORDNUNG (REGULATIONS REGARDING FOODSTUFFS AND CONSUMER GOODS; MENTIONED ABOVE IN PARA 3); (B) ETIKETTIERVERORDNUNG (LABELING REGULATIONS ISSUED BY FEDERAL OFFICE OF WEIGHTS AND MEASURES); (C) REGULATIONS CONCERNING PRECIOUS METALS (ADMINISTERED BY AGENCY FOR CONTROL OF PRECIOUS METALS, WHICH SHOULD ACTUALLY BE CONSIDERED A HALLMARKING REQUIREMENT CONCERNING THE ACTUAL CONTENTS OF PRECIOUS METALS IN GOODS TRADED IN SWITZERLAND). THE FEDERAL BUREAU OF INTELLECTUAL PROPERTY INTERVENES ONLY WHEN IMPROPER OR MISLEADING STATEMENTS ARE MADE. HOWEVER, AT THE FEDERAL LEVEL, THE OFFICES AND AGENCIES INVOLVED IN ORIGIN MARKINGS ARE NOT CONTROLLING BODIES, EXCEPT FOR PRECIOUS METALS. ENFORCEMENT IS THE RESPONSIBILITY OF INDIVIDUAL CANTONS.

7. IT WOULD BE HELPFUL IF DEPT COULD BY RETURN PRIORITY TELEGRAM ADVISE BASIS YOUR SUMMARY IN REFTL (REFERENCE TO BERN REPORT; EDITION OF SWISS REGULATIONS, ETC.).
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